

CA084532

**SHELBY COUNTY BOARD OF COMMISSIONERS
AGENDA ROUTE SHEET**

Referred to Commission Committee (name) Land Use, Planning, Transportation, Code Enforcement

For Commission Action on (date) 6-16-08

DESCRIPTION OF ITEM:

A Resolution approving a contract amendment in the amount of \$193,800.00 between Shelby County Government and Kimley-Horn And Associates relative to the development and completion of Long-Range Transportation Plan for the Memphis Metropolitan Organization (MPO), and this item requires the expenditure of Federal thru State Grant Funds in the amount of \$193,800.00. Sponsored by Commissioner Mike Ritz.

CHECK ALL THAT APPLY BELOW:

 This Action does NOT require expenditure of funds.

 x This Item requires/approves expenditure of funds as follows (complete all that apply):

County General Funds: \$; County CIP Funds- \$

State Grant Funds: \$; State Gas Tax Funds: \$

Federal Grant Funds: \$ 193,800.00

Other funds (Specify source and amount): \$

Other pass-thru funds (Specify source and amount): \$

Originating Department: Department of Regional Services

APPROVAL:

Dept. Head: Martha Lott, 379-7860 \ ML \ 5-22-08
(Type your name & phone #.) (Initials) (Date)

Elected Official: \ \
(Type your name & phone #.) (Initials) (Date)

Division Director: Richard Copeland, 576-7196 \ RC \ 5-22-08
(Type your name & phone #.) (Initials) (Date)

CIP – A&F Director: \ \
(Type your name & phone #.) (Initials) (Date)

Finance Dept. Michael Swift, 545-4449 \ MS \ 6/3/08
(Type your name & phone #.) (Initials) (Date)

County Attorney: James F. Huntzicker 545-4360 \ JFH \ 5-22-08
(Type your name & phone #.) (Initials) (Date)

CAO/Mayor: James F. Huntzicker 545-4514 \ JFH \ 6-4-08
(Type your name & phone #.) (Initials) (Date)

SUMMARY SHEET

I. Description of Item

This resolution requests approval to amend the Contract between Kimley-Horn and Associates and Shelby County Division of Planning and Development in the amount of \$193,800.000.

This amendment is necessary to the relative development and completion of the Long-Range Transportation Plan for the Memphis Metropolitan Organization (MPO).

II. Source and Amount of Funding

- A. Federal Highway Administration State of Tennessee and Mississippi PL Funds Budget Number 380-271111 \$43,800.00 and #387-271111 \$150,000.00
- B. There are no other costs, directly or indirectly associated with this Resolution.
- C. There are no additional or subsequent obligations or expenses for which Shelby County will ultimately be responsible.

III. Contract Items

- A. Cooperative Grant Agreement funding Contract extension of existing agreement with Kimley-Horn and Associates dated back to February 15, 2007.
- B. Expenditure period for PL Funds July 1, 2008 – June 30, 2009.
- C. The contract is 100%, funded by TDOT and MDOT PL Funds and requires no matching expenditures by the County.

IV. Additional Information Relevant to Approval of this Item

- A. Administration recommends approval of this resolution.

Item # _____

Prepared by Martha Lott

Approved by 

A resolution approving a contract amendment in the amount of \$193,800.00 between Shelby County Government and Kimley-Horn and Associates relative to the development and completion of the long-range transportation plan for the Memphis Metropolitan Planning Organization (MPO), and this item requires the expenditure of federal thru state grant funds in the amount of \$193,800.00. Sponsored by Commission Mike Ritz.

WHEREAS, Shelby County Government (the COUNTY) entered into a Professional Services Agreement (Contract Number: CA74532) with Kimley-Horn and Associates, Inc. (the CONSULTANT, or KHA); and

WHEREAS, The scope of the basic agreement includes the development of a Long-Range Transportation Plan for the Memphis and Shelby County Government's Division of Planning and Development Department of Regional Services, Memphis Metropolitan Planning Organization (MPO); and

WHEREAS, It is necessary that the scope of the basic agreement be amended to provide for additional professional services required for the development of the Long-Range Transportation Plan and Air Quality Conformity Determination Report; and

WHEREAS, The Shelby County Board of Commissioners approved a resolution on February 15, 2007 between Shelby County Government and Kimley-Horn and Associates for professional services of the Long-Range Transportation Plan as adopted in March 2008.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That the contract between Shelby County Government and Kimley-Horn and Associates for the development and completion of professional services as further evidenced in Attachment "A" and "B" Scope of Work.

BE IT FURTHER RESOLVED That the County Mayor is hereby authorized to execute the agreement for the aforementioned services on behalf of Shelby County Government, a copy of which is on file in the Contract Administration Department.

BE IT FURTHER RESOLVED That the Purchasing Department is authorized to issue purchase orders for the professional services of Kimley-Horn and Associates from FY 2008-2009 Operating Budget subject to the availability of funds in account number 387-271111-6634 and 380-271111-6634 for the purposes of said contract.

BE IT FURTHER RESOLVED, That the County Mayor and the Director of Administration and Finance are authorized to issue warrant or warrants in an amount not to exceed \$193,800.00 to Kimley-Horn and Associates and to take proper credit in their accounting therefore.

A C Wharton, Jr., County Mayor

DATE: _____

ATTEST:

Clerk of County Commission

ADOPTED: _____

CONTRACT AND ENCUMBRANCE INFORMATION SHEET

AN ORIGINAL AND 1 COPY OF THIS FORM MUST BE SUBMITTED

THIS SHEET MUST BE COMPLETED, SIGNED BY THE DEPARTMENT HEAD AND DIVISION DIRECTOR AND ATTACHED TO ALL CONTRACT AND RESOLUTION PACKETS BEFORE ANY ACTION WILL BE TAKEN.

1. Department Requesting Services: Regional Services
2. Preparer's Name, Telephone #, and E-Mail Address:
Martha Lott, 379-7860, martha.lott@shelbycountyttn.gov
3. DESCRIPTION OF ITEM TO BE PURCHASED, BUILT, OR SERVICE TO BE PROVIDED:
Consulting services relative to the development and completion of the Long-Range Transportation Plan for the Memphis MPO area.
4. NAME, ADDRESS, VENDOR NUMBER, AND EOC NUMBER OF VENDOR/CONSULTANT/AGENCY WITH WHICH SHELBY COUNTY WILL BE CONTRACTING:
Kimley Horn & Associates
3175 Lenox Park Blvd. suite 200
Memphis, TN 38115
VENDOR NO. 99690
EOC NO.
5. COST OF ITEM OR SERVICE REQUESTED: \$193,800.00
6. TERM OF PROPOSED CONTRACT/AGREEMENT: June 30, 2009
7. FUND, ORG, AND ACCOUNT NUMBER (13 DIGITS) **FOR MULTIPLE ACCOUNTS, PLEASE SPECIFY DOLLAR AMOUNT FOR EACH**
FY-09 \$150,000.00 account #387-271111-6634.
FY'09 \$43,800.00 account #380-271111-6634.
8. COMMODITY CODE:
9. VENDOR/CONSULTANT/AGENCY SELECTED BY (CHECK ONE):
PLEASE ATTACH APPROVAL DOCUMENTS
 - a. ☒ Bid/RFP Process - # & Date RFQ# 07-010-24 - October 18, 2006
 - b. ☐ Emergency/Sole Source
10. LOSB/MBE INFORMATION: Please check the appropriate description
 - ☐ MBE (MINORITY OWNED BUSINESS ENTERPRISE)
 - ☐ MALE ☐ FEMALE
 - ☐ WBE (WOMEN OWNED BUSINESS ENTERPRISE)
 - ☐ LOSB (LOCALLY OWNED SMALL BUSINESS)
ANNUAL SALES DOES NOT EXCEED \$3 MILLION
 - ☐ N/A
11. SPECIAL INSTRUCTIONS (ROUTING, FUNDING, BUDGET TRANSFER IN PROCESS)
Routing for signatures

REVIEWED AND APPROVED BY:

ELECTED OFFICIAL

DEPARTMENT HEAD

DIVISION DIRECTOR

DATE

DATE

5/2/08
6/2/08

CA084532

GRATUITY DISCLOSURE FORM

Shelby County Ethics Commission

INSTRUCTIONS: This form is for all persons receiving any Shelby County Government contract, land use approval or financial grant money to report any gratuity that has been given, directly or indirectly, to any elected official, employee or appointee (including their spouses and immediate family members) who is involved in the decision regarding the contract, land use approval, or financial grant of money.

1. NAME

~~NONE~~

Kimley Horn & Associates

2. DATE OF GRATUITY

N/A

3. NATURE AND PURPOSE OF THE GRATUITY

N/A

4. NAME OF THE OFFICIAL, EMPLOYEE, APPOINTEE, OR FAMILY MEMBER WHO RECEIVED THE GRATUITY

N/A

5. NAME OF THE PERSON OR ENTITY THAT PROVIDED THE GRATUITY

N/A

6. ADDRESS OF THE PERSON OR ENTITY THAT PROVIDED THE GRATUITY

N/A

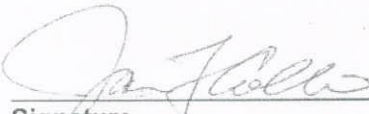
7. DESCRIPTION OF THE GRATUITY

NONE

8. COST OF THE GRATUITY (If cost is unknown and not reasonably discernible by the person giving the gratuity, then the person giving the gratuity shall report a good faith estimate of the cost of the gratuity.)

NONE

9. The information contained in this Gratuity Disclosure Form, and any supporting documentation or materials referenced herein or submitted herewith, is true and correct to the best of my knowledge, information and belief and affirm that I have not given, directly or indirectly, any gratuity to any elected official, employee or appointee (including spouse and immediate family members) that has not been disclosed and I affirm that I have not violated the provisions of the Shelby County Government Code of Ethics.


Signature

May 23, 2008
Date

James F. Collins
Print Name

To my knowledge, neither I nor anyone employed by Kimley-Horn and Associates, Inc., nor anyone employed by any of our subconsultants for this project has provided any gratuity to any elected official, employee or appointee of Shelby County Government who is involved in the decision regarding this contract. We have verified this by review of expense records for the last calendar year.

A copy of your completed form will be placed on the Shelby County Internet website.

**AMENDMENT TO AGREEMENT
BETWEEN SHELBY COUNTY GOVERNMENT
AND
KIMLEY-HORN AND ASSOCIATES**

THIS AMENDMENT is made and entered into this ____ day of _____, 2008 by and between Shelby County Government (hereinafter "County") and Kimley-Horn & Associates (hereinafter "Consultant").

WHEREAS, the parties previously entered into an agreement CA-074532 (hereinafter "Agreement") dated February 15, 2007 for professional services to prepare a Long-Range Transportation Plan (LRTP) for the Memphis and Shelby County Government's Division of Planning and Development Organization, Memphis Metropolitan Planning Organization (MPO).

WHEREAS, it is necessary that the scope of the Agreement be amended to provide for additional professional services required for the development of the Long-Range Transportation Plan and Air Quality Conformity Determination Report.

NOW, THEREFORE, for and in consideration of the mutual promises of the parties to this agreement and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties hereto do hereby agree as follows:

1. Section 1 of the Agreement entitled Scope of Work is hereby amended to incorporate Exhibit "A" which are attached hereto and incorporated herein by reference as if stated verbatim.
2. The total cost for this Amendment shall not exceed One Hundred and Ninety Three Thousand Eight Hundred Dollars and 00/100 (\$193,800.00) payable in accordance with the Agreement and with Exhibit B which is attached hereto and incorporated herein by reference as if stated verbatim.
4. This Amendment shall be subject to and contingent upon funds being available in the Fiscal Year 2008-2009 Operating Budget of Shelby County Government.
5. Living Wage Ordinance - In accordance with Ordinance Number 328, commonly referred to as the Living Wage Ordinance, all persons/entities engaged in service contracts with the County, including but not limited to both prime and subcontractors, shall pay a Living Wage to employees for all work performed on said service contract, as defined in the Living Wage Ordinance. Proof of such compensation must be evidenced as required in the Living Wage Ordinance.